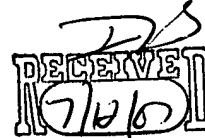


Attorney Docket
No. 35684.0101

IN THE UNITED STATES PATENT & TRADEMARK OFFICE

In re Application of: Matthew D. Gard
Serial No.: 09/227,490
Filing Date: January 6, 1999
Examiner: R. Laneau
Group Art Unit: 2674
For: COMPUTER INTERFACE DEVICE



OFFICIAL

Assistant Commissioner for Patents
Washington, D.C. 20231

RESPONSE

In response to the Office Action mailed on October 25, 2000, applicant submits as follows:

REMARKS

In the Office Action dated October 25, 2000, the claims were rejected under the judicially created doctrine of obviousness-type double patenting as being unpatentable over claim 1 of U.S. Patent No. 5,990,865 issued to Gard.

Applicant has reviewed the Examiners rejection and has studied the cited art and submits that the claims are now in condition for allowance and respectfully request such action.

A terminal disclaimer has been filed in compliance with 37 C.F.R. 1.321(c). Applicant stated in the terminal disclaimer that "any patent so granted on the instant application shall be enforceable only for and during such period that it and [U.S. Patent No. 5,990,865] are commonly owned."

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